

108TH CONGRESS  
1ST SESSION

# S. 929

To direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 28, 2003

Mr. MCCAIN (for himself, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. SMITH, Ms. SNOWE, Mr. BREAUX, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Over-the-Road Bus  
5 Security and Safety Act of 2003”.

6 **SEC. 2. EMERGENCY OVER-THE-ROAD BUS SECURITY AS-**  
7 **SISTANCE.**

8 (a) IN GENERAL.—The Secretary of Transportation,  
9 acting through the Administrator of the Federal Motor

1 Carrier Safety Administration, shall establish a program  
2 for making grants to private operators of over-the-road  
3 buses for system-wide security improvements to their oper-  
4 ations, including—

5 (1) constructing and modifying terminals, ga-  
6 rages, facilities, or over-the-road buses to assure  
7 their security;

8 (2) protecting or isolating the driver;

9 (3) acquiring, upgrading, installing, or oper-  
10 ating equipment, software, or accessorial services for  
11 collection, storage, or exchange of passenger and  
12 driver information through ticketing systems or oth-  
13 erwise, and information links with government agen-  
14 cies;

15 (4) training employees in recognizing and re-  
16 sponding to security threats, evacuation procedures,  
17 passenger screening procedures, and baggage inspec-  
18 tion;

19 (5) hiring and training security officers;

20 (6) installing cameras and video surveillance  
21 equipment on over-the-road buses and at terminals,  
22 garages, and over-the-road bus facilities;

23 (7) creating a program for employee identifica-  
24 tion or background investigation;

1           (8) establishing an emergency communications  
2       system linked to law enforcement and emergency  
3       personnel; and

4           (9) implementing and operating passenger  
5       screening programs at terminals and on over-the-  
6       road buses.

7       (b) REIMBURSEMENT.—A grant under this Act may  
8       be used to provide reimbursement to private operators of  
9       over-the-road buses for extraordinary security-related  
10      costs for improvements described in paragraphs (1)  
11      through (9) of subsection (a), determined by the Secretary  
12      to have been incurred by such operators since September  
13      11, 2001.

14      (c) FEDERAL SHARE.—The Federal share of the cost  
15      for which any grant is made under this Act shall be 90  
16      percent.

17      (d) DUE CONSIDERATION.—In making grants under  
18      this Act, the Secretary shall give due consideration to pri-  
19      vate operators of over-the-road buses that have taken  
20      measures to enhance bus transportation security from  
21      those in effect before September 11, 2001.

22      (e) GRANT REQUIREMENTS.—A grant under this Act  
23      shall be subject to all the terms and conditions that a  
24      grant is subject to under section 3038(f) of the Transpor-

1 tation Equity Act for the 21st Century (49 U.S.C. 5310  
2 note; 112 Stat. 393).

3 **SEC. 3. PLAN REQUIREMENT.**

4 (a) IN GENERAL.—The Secretary may not make a  
5 grant under this Act to a private operator of over-the-road  
6 buses until the operator has first submitted to the Sec-  
7 retary—

8 (1) a plan for making security improvements  
9 described in section 2 and the Secretary has ap-  
10 proved the plan; and

11 (2) such additional information as the Secretary  
12 may require to ensure accountability for the obliga-  
13 tion and expenditure of amounts made available to  
14 the operator under the grant.

15 (b) COORDINATION.—To the extent that an applica-  
16 tion for a grant under this section proposes security im-  
17 provements within a specific terminal owned and operated  
18 by an entity other than the applicant, the applicant shall  
19 demonstrate to the satisfaction of the Secretary that the  
20 applicant has coordinated the security improvements for  
21 the terminal with that entity.

22 **SEC. 4. OVER-THE-ROAD BUS DEFINED.**

23 In this Act, the term “over-the-road bus” means a  
24 bus characterized by an elevated passenger deck located  
25 over a baggage compartment.

1 **SEC. 5. BUS SECURITY ASSESSMENT.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date of enactment of this Act, the Secretary of Transpor-  
4 tation shall transmit to the Committee on Commerce,  
5 Science, and Transportation of the Senate and the Com-  
6 mittee on Transportation and Infrastructure of the House  
7 of Representatives a preliminary report in accordance with  
8 the requirements of this section.

9 (b) CONTENTS OF PRELIMINARY REPORT.—The pre-  
10 liminary report shall include—

11 (1) an assessment of the over-the-road bus se-  
12 curity grant program;

13 (2) an assessment of actions already taken to  
14 address identified security issues by both public and  
15 private entities and recommendations on whether ad-  
16 ditional safety and security enforcement actions are  
17 needed;

18 (3) an assessment of whether additional legisla-  
19 tion is needed to provide for the security of Ameri-  
20 cans traveling on over-the-road buses;

21 (4) an assessment of the economic impact that  
22 security upgrades of buses and bus facilities may  
23 have on the over-the-road bus transportation indus-  
24 try and its employees;

25 (5) an assessment of ongoing research and the  
26 need for additional research on over-the-road bus se-

1 security, including engine shut-off mechanisms, chem-  
2 ical and biological weapon detection technology, and  
3 the feasibility of compartmentalization of the driver;  
4 and

5 (6) an assessment of industry best practices to  
6 enhance security.

7 (c) CONSULTATION WITH INDUSTRY, LABOR, AND  
8 OTHER GROUPS.—In carrying out this section, the Sec-  
9 retary shall consult with over-the-road bus management  
10 and labor representatives, public safety and law enforce-  
11 ment officials, and the National Academy of Sciences.

12 **SEC. 6. FUNDING.**

13 There are authorized to be appropriated to the Sec-  
14 retary of Transportation to carry out this Act  
15 \$35,000,000 for fiscal year 2003 and \$99,000,000 for fis-  
16 cal year 2004. Such sums shall remain available until ex-  
17 pended.

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